

726.28 Wanton neglect or nonsupport of a dependent adult.

1. A caretaker commits wanton neglect of a dependent adult if the caretaker knowingly acts in a manner likely to be injurious to the physical, mental, or emotional welfare of a dependent adult. Wanton neglect of a dependent adult is a serious misdemeanor.

2. A person who has legal responsibility either through contract or court order for support of a dependent adult and who fails or refuses to provide support commits nonsupport. Nonsupport is a class “D” felony.

3. A person alleged to have committed wanton neglect or nonsupport of a dependent adult shall be charged with the respective offense unless a charge may be brought based upon a more serious offense, in which case the charge of the more serious offense shall supersede the less serious charge.

4. For the purposes of [this section](#), “*dependent adult*” means a dependent adult as defined in [section 235B.2, subsection 4](#), and “*caretaker*” means a caretaker as defined in [section 235B.2, subsection 1](#).

[87 Acts, ch 182, §10](#)

[CS87, §726.8](#)

[2022 Acts, ch 1132, §8](#)

[C2023, §726.28](#)

Referred to in [§135B.34](#), [135C.33](#), [152.5A](#)

Section transferred from [§726.8](#) in Code 2023 pursuant to directive in [2022 Acts, ch 1132, §8](#)